

1636

I hereby certify that this correspondence listed below is being deposited with the United States Postal Service on the date set forth below as first class mail in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, POB 1450, Alexandria, VA, 22313-1450.

Date of Signature and Deposit: 09-05-2003

By: sh

---

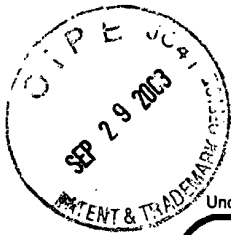
**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. 1.10**

Applicant: Van Gelder, et al.  
Serial No.: 09/713,545  
Filed: 11-15-2000  
Title: Multi-Gene Expression Profile  
Art Unit: 1636  
Examiner: William Sandals  
Docket: 112133.00003 RCE

Mailstop Patent Application  
Commissioner for Patents  
POB 1450  
Alexandria, VA 22313-1450

**Type of Filing:**

- 1) Declaration for Utility or Design Patent Application, executed, five pages
- 2) Return receipt postcard



PTO/SB/01 (10-01)

Approved for use through 10/31/2002.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing

OR

☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Dock Number 112133.00003 RCE

First Named Inventor Van Gelder et al.

**COMPLETE IF KNOWN**

Application Number 09/713,545

Filing Date November 15, 2000

Group Art Unit 1636

Examiner Name William Sandals

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MULTI-GENE EXPRESSION PROFILE

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) November 15, 2000, as United States Application Number or PCT International

Application Number 09/713,545 and was amended on (MM/DD/YYYY) August 26, 2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

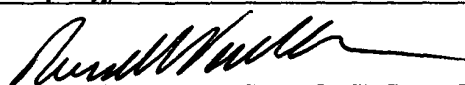
☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

1764387

## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label		26707		OR <input type="checkbox"/> Correspondence address below	
Name					
Address					
Address					
City			State		ZIP
Country		Telephone		Fax	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>					
NAME OF SOLE OR FIRST INVENTOR :			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Russell N. (first and middle [if any])			Family Name Van Gelder or Surname		
Inventor's Signature 			Date 8/14/03		
Residence: City Des Peres		State MO	Country USA		Citizenship US
Mailing Address 11928 Claychester Drive					
Mailing Address					
City Des Peres		State MO	ZIP 63131		Country USA
NAME OF SECOND INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Mark E. (first and middle [if any])			Family Name Von Zastrow or Surname		
Inventor's Signature			Date		
Residence: City San Carlos		State CA	Country USA		Citizenship USA
Mailing Address 245 Clifton Avenue					
Mailing Address					
City San Carlos		State CA	ZIP 94070		Country USA
<input checked="" type="checkbox"/> Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					

PTO/SB/01 (10-01)

Approved for use through 10/31/2002.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:		<input checked="" type="checkbox"/> Customer Number or Bar Code Label	26707	OR	<input type="checkbox"/> Correspondence address below
Name					
Address					
Address					
City		State		ZIP	
Country		Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR :			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Russell N. (first and middle (if any))			Family Name Van Gelder or Surname		
Inventor's Signature					Date
Residence: City Des Peres		State MO		Country USA	Citizenship US
Mailing Address 11928 Claychester Drive					
Mailing Address					
City Des Peres		State MO		ZIP 63131	Country USA
NAME OF SECOND INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Mark E. (first and middle (if any))			Family Name Von Zastrow or Surname		
Inventor's Signature <i>am-h</i>					Date 9/8/03
Residence: City San Carlos		State CA		Country USA	Citizenship USA
Mailing Address 245 Clifton Avenue					
Mailing Address					
City San Carlos		State CA		ZIP 94070	Country USA
<input checked="" type="checkbox"/> Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					

[Page 2 of 2]

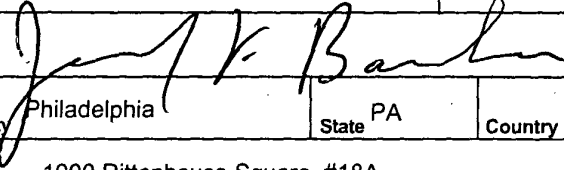
Please type a plus sign (+) inside this box → ☐

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## DECLARATION

**ADDITIONAL INVENTOR(S)**  
Supplemental Sheet  
Page 3 of 3

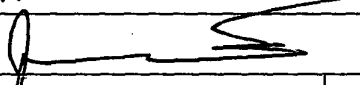
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Jack D.		Barchas	
Inventor's Signature 		Date <u>Sept 23, 2003</u>	
Residence: City Philadelphia	State PA	Country USA	Citizenship USA
Mailing Address 1900 Rittenhouse Square, #18A			
Mailing Address			
City Philadelphia	State PA	ZIP 19103	Country USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
James D.		Eberwine	
Inventor's Signature		Date	
Residence: City Philadelphia	State PA	Country USA	Citizenship USA
Mailing Address 3918 Henry Avenue			
Mailing Address			
City Philadelphia	State PA	ZIP 19129	Country USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country

Please type a plus sign (+) inside this box → +

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet Page <u>3</u> of <u>3</u>
--------------------	--

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Jack D.		Barchas	
Inventor's Signature		Date	
Residence: City Philadelphia	State PA	Country USA	Citizenship USA
Mailing Address 1900 Rittenhouse Square, #18A			
Mailing Address			
City Philadelphia	State PA	ZIP 19103	Country USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
James <i>J. H.</i>		Eberwine	
Inventor's Signature 		Date <i>9/15/03</i>	
Residence: City Philadelphia	State PA	Country USA	Citizenship USA
Mailing Address 3918 Henry Avenue			
Mailing Address			
City Philadelphia	State PA	ZIP 19129	Country USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country